

Commonwealth of Kentucky
Natural Resources and Environmental Protection Cabinet
Department for Environmental Protection
Division for Air Quality
803 Schenkel Lane
Frankfort, Kentucky 40601
(502) 573-3382

STATE ORIGIN
AIR QUALITY PERMIT

Permittee Name: JM Smucker LLC, Project Tasty Facility
Scottsville, KY 42164

Mailing Address: JM Smucker LLC, Strawberry Lane
Orrville, OH 44667

Source Name: JM Smucker LLC
Mailing Address: Same
Source Location: 1070 Smith Grove Road (Hwy 101)
Scottsville, KY 42164

Source ID #: 21-003-00019

SIC Code: 2038

Regional Office Bowling Green Regional Office
1508 Westen Ave
Bowling Green, KY 42104-3356
Telephone: (270) 746-7475

County: Allen

Permit Number: S-03-023
Log Number: 55588
Permit Type: Minor State Origin (Construction & Operation)

Application
Complete Date: April 28, 2003
Issuance Date: May 12, 2003
Expiration Date: May 12, 2013

John S. Lyons, Director
Division for Air Quality

SECTION A - PERMIT AUTHORIZATION

Pursuant to a duly submitted application the Kentucky Division for Air Quality hereby authorizes the construction and operation of the equipment described herein in accordance with the terms and conditions of this permit. This permit has been issued under the provisions of Kentucky Revised Statutes Chapter 224 and regulations promulgated pursuant thereto.

The permittee shall not construct, reconstruct, or modify an affected facility without first having submitted a complete application and receiving a permit for the planned activity from the Division, except as provided in this permit or in 401 KAR 52:040, State-origin permits.

Issuance of this permit does not relieve the permittee from the responsibility of obtaining other permits, licenses, or approvals that may be required by the Cabinet or other federal, state, or local agencies.

SECTION B - EMISSION POINTS, EMISSIONS UNITS, APPLICABLE REGULATIONS, AND OPERATING CONDITIONS

Emissions Unit: 01P	Emission Stack	Bread Oven process exhaust stack 1
Emissions Unit: 02P	Emission Stack	Bread Oven process exhaust stack 2
Emissions Unit: 201C	Combustion Stack	Bread Oven combustion exhaust stack 1
Emissions Unit: 202C	Combustion Stack	Bread Oven combustion exhaust stack 1
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Emissions Unit: 206C	Combustion Stack	Bread Oven combustion exhaust stack 1
Emissions Unit: 207C	Combustion Stack	Bread Oven combustion exhaust stack 1
Emissions Unit: 208C	Combustion Stack	Bread Oven combustion exhaust stack 1
Emissions Unit: 212C	Combustion Stack	Bread Oven combustion exhaust stack 1 (future)
Emissions Unit: 213C	Combustion Stack	Bread Oven combustion exhaust stack 1 (future)
Emissions Unit: EP 01	Emission Unit	Bread Oven

Equipment Description:

The Bread oven has two (2) exhaust stacks that vent directly to the atmosphere.

Applicable Regulations:

Regulation 401 KAR 59:015, New indirect heat exchangers, applicable to an emissions unit with a capacity of less than 250 MMBTU/hour which commenced on or after April 9, 1972.

1. Operating Limitations:

None

2. Emission Limitations:

- a. Pursuant to Regulation 401 KAR 52:040, source wide emissions of VOC shall not exceed 100 tons per year (tpy) based upon 12 months rolling average.
- b. Pursuant to Regulation 401 KAR 59:015, Section 4(1)(c), particulate emissions shall not exceed 0.4211 lb/MMBTU based on a three-hour-average.
- c. Pursuant to Regulation 401 KAR 59:015, Section 4(2), emissions shall not exceed 20% opacity based on a six minute average.
- d. Pursuant to Regulation 401 KAR 59:015, Section 5(1)(c), sulfur dioxide emissions shall not exceed 2.0225 lb/MMBTU based on a twenty-four-hour-average.

SECTION B - EMISSION POINTS, EMISSIONS UNITS, APPLICABLE REGULATIONS, AND OPERATING CONDITIONS (CONTINUED)

Compliance Demonstration:

Source wide VOC emissions should be calculated using the following formula:

$$\begin{aligned} \text{Source wide VOC emissions} = & \text{VOC emissions from the bread baking process} \\ & + \\ & \text{VOC emissions from the combustion of fuel in the bread oven} \\ & + \\ & \text{VOC emissions from all the insignificant activities.} \end{aligned}$$

- For VOC emissions calculations from the bread baking process see Monitoring Requirements.
- For VOC emissions from the combustion of fuel in the bread oven and from all the insignificant activities use the following formula:

$$\text{VOC emissions} = \text{Total fuel usage} \times \text{E. F.}$$

Where E.F. = emission factor for natural gas combustion taken from AP-42.

Compliance with the sulfur dioxide and particulate emission limitations is assumed when only natural gas is used.

3. Testing Requirements:

None

4. Monitoring Requirements:

- The permittee shall perform a qualitative visual observation of the opacity of emissions from the stacks on a weekly basis and maintain a log of the observations. If visible emissions from the stack are seen, the permittee shall determine the opacity of emissions by U.S. EPA Reference Method 9.
- The permittee shall monitor quantity of yeast containing dough processed, bakers' percent of yeast, and total yeast action time. The permittee shall calculate and record the monthly VOC emissions due to dough drying. The VOC emissions from bread baking shall be determined based on emission factors derived from the equation given in "Alternative Control Technology Documents for Bakery Oven Emissions" (EPA 453/R-92-017, December 1992):

$$\text{VOC E.F.} = 0.95Y_i + 0.195t_i + 1.90$$

Where,

VOC E.F. = Emission factor in pounds of VOC per ton of yeast containing dough processed

SECTION B - EMISSION POINTS, EMISSIONS UNITS, APPLICABLE

REGULATIONS, AND OPERATING CONDITIONS (CONTINUED)

Y_I = Initial baker's percent of yeast to the nearest tenth of a percent
 t_I = Total yeast action time in hours to the nearest tenth of an hour

$$\text{VOC Emissions (tons/yr)} = \text{VOC E.F.} \times \text{BP} \times .0005$$

Where,

BP = Yeast containing dough processed in tons/year

Note: For any batch if there is a change in emission factor (3.0 lbs of VOC/ton of finished product) due to change in either Y_I or t_I , a new emission factor shall be calculated for that batch. This new emission factor shall be used for calculating the VOC emissions for that batch.

5. Recordkeeping Requirements:

- a. The permittee shall keep monthly records of yeast containing dough processed, baker's percent of yeast, and total yeast action time. Total VOC emissions shall be calculated each month (tons per month) based upon the amount of yeast containing dough processed and the combustion of fuel for bread oven and for insignificant activities at the facility during that month. The permittee shall also keep records of twelve (12) month rolling total for VOC emissions. These records shall be made available for inspection, upon request by any duly authorized representative of the Division for Air Quality.
- b. The permittee shall maintain a log of fuel usage for the bread oven.

6. Reporting Requirements:

- a. The permittee shall report the total annual fuel usage at the source based on a 12 months rolling average.
- b. The permittee shall submit an semi-annually emissions report based on a 12 month rolling average.

SECTION C - GENERAL CONDITIONS**A. Administrative Requirements**

1. The permittee shall comply with all conditions of this permit. Noncompliance shall be a violation of 401 KAR 52:040, Section 3(1)(b) and is grounds for enforcement action including but not limited to the termination, revocation and reissuance, or revision of this permit.
2. This permit shall remain in effect for a fixed term of ten (10) years following the original date of issuance. Permit expiration shall terminate the source's right to operate unless a timely and complete renewal application has been submitted to the Division at least six months prior to the expiration date of the permit. Upon a timely and complete submittal, the authorization to operate within the terms and conditions of this permit, including any permit shield, shall remain in effect beyond the expiration date, until the renewal permit is issued or denied by the Division [401 KAR 52:040, Section 15].
3. Any condition or portion of this permit that becomes suspended or is ruled invalid as a result of any legal or other action shall not invalidate any other portion or condition of this permit [Cabinet Provisions and Procedures for Issuing State-Origin Permits, Section 1a, 11].
4. This permit may be revised, revoked, reopened, reissued, or terminated for cause. The filing of a request by the permittee for any permit revision, revocation, reissuance, or termination, or of a notification of a planned change or anticipated noncompliance shall not stay any permit condition [Cabinet Provisions and Procedures for Issuing State-Origin Permits, Section 1a, 4,5].
5. This permit does not convey property rights or exclusive privileges [Cabinet Provisions and Procedures for Issuing State-Origin Permits, Section 1a, 8].
6. Nothing in this permit shall alter or affect the liability of the permittee for any violation of applicable requirements prior to or at the time of permit issuance [401 KAR 52:040 Section 11(3)].

B. Recordkeeping Requirements

1. Records of all required monitoring data and support information, including calibrations, maintenance records, and original strip chart recordings, and copies of all reports required by the Division for Air Quality, shall be retained by the permittee for a period of at least five years and shall be made available for inspection upon request by any duly authorized representative of the Division for Air Quality [401 KAR 52:040 Section 3(1)(f)].
2. The permittee shall perform compliance certification and recordkeeping sufficient to assure compliance with the terms and conditions of the permit. Documents including reports shall be certified by a responsible official [401 KAR 52:040, Section 21].

SECTION C - GENERAL CONDITIONS (CONTINUED)

C. Reporting Requirements

1. a. In accordance with the provisions of 401 KAR 50:055, Section 1 the permittee shall notify the Regional Office listed on the front of this permit concerning startups, shutdowns, or malfunctions as follows:
 - i. When emissions during any planned shutdowns and ensuing startups will exceed the standards, notification shall be made no later than three (3) days before the planned shutdown, or immediately following the decision to shut down, if the shutdown is due to events which could not have been foreseen three (3) days before the shutdown.
 - ii. When emissions due to malfunctions, unplanned shutdowns and ensuing startups are or may be in excess of the standards, notification shall be made as promptly as possible by telephone (or other approved electronic media) and shall cause written notice upon request.
- b. The permittee shall promptly report deviations from permit requirements including those attributed to upset conditions (other than emission exceedances covered by 1.a above) , the probable cause of the deviation, and corrective or preventive measures taken; to the Regional Office listed on the front of this permit within 30 days. Other deviations from permit requirements shall be included in the semiannual report [Cabinet Provisions and Procedures for Issuing State-Origin Permits, Section 5, 3].
2. The permittee shall furnish information requested by the Cabinet to determine if cause exists for modifying, revoking and reissuing, or terminating the permit; or compliance with the permit. [Cabinet Provisions and Procedures for Issuing State-Origin Permits, Section 1a, 8].
3. Summary reports of monitoring required by this permit shall be submitted to the Regional Office listed on the front of this permit at least every six (6) months during the life of this permit. For emission units that were still under construction or which had not commenced operation at the end of the 6-month period covered by the report and are subject to monitoring requirements in this permit, the report shall indicate that no monitoring was performed during the previous six months because the emission unit was not in operation.

The summary reports are due January 30th and July 30th of each year. All reports shall be certified by a responsible official. All deviations from permit requirements shall be clearly identified in the reports [401 KAR 52:040, Section 21].

D. Inspections

1. In accordance with the requirements of 401 KAR 52:040, Section 3(1)(f) the permittee shall allow authorized representatives of the Cabinet to perform the following during reasonable times:
 - a. Enter upon the premises to inspect any facility, equipment (including air pollution control equipment), practice, or operation;

SECTION C - GENERAL CONDITIONS (CONTINUED)

- b. To access and copy any records required by the permit:
- c. Inspect, at reasonable times, any facilities, equipment (including monitoring and pollution control equipment), practices, or operations required by the permit. Reasonable times are defined as during all hours of operation, during normal office hours; or during an emergency.
- d. Sample or monitor, at reasonable times, substances or parameters to assure compliance with the permit or any applicable requirements.

E. Emergencies/Enforcement Provisions

- 1. The permittee shall not use as defense in an enforcement action, the contention that it would have been necessary to halt or reduce the permitted activity in order to maintain compliance [Cabinet Provisions and Procedures for Issuing State-Origin Permits, Section 1a, 3].
- 2. An emergency shall constitute an affirmative defense to an action brought for the noncompliance with the technology-based emission limitations if the permittee demonstrates through properly signed contemporaneous operating logs or relevant evidence that:
 - a. An emergency occurred and the permittee can identify the cause of the emergency;
 - b. The permitted facility was at the time being properly operated;
 - c. During an emergency, the permittee took all reasonable steps to minimize levels of emissions that exceeded the emissions standards or other requirements in the permit; and
 - d. The permittee notified the Division as promptly as possible and submitted written notice of the emergency to the Division within two working days after the time when emission limitations were exceeded due to the emergency and included a description of the emergency, steps taken to mitigate emissions, and corrective actions taken.
- 3. Emergency provisions listed in General Condition E.2 are in addition to any emergency or upset provision contained in an applicable requirement.
- 4. In an enforcement proceeding, the permittee seeking to establish the occurrence of an emergency shall have the burden of proof.

F. Compliance

- 1. Periodic testing or instrumental or non-instrumental monitoring, which may consist of record keeping, shall be performed to the extent necessary to yield reliable data for purposes of demonstration of continuing compliance with the conditions of this permit. For the purpose of demonstration of continuing compliance, the following guidelines shall be followed:
 - a. Pursuant to 401 KAR 50:055, General compliance requirements, Section 2(5), all air pollution control equipment and all pollution control measures proposed by the application in response to which this permit is issued shall be in place, properly maintained, and in operation at any time an affected facility for which the equipment and measures are designed is operated, except as provided by 401 KAR

SECTIONC - GENERAL CONDITIONS (CONTINUED)

- 50:055, Section 1.
 - b. A log of the monthly raw material consumption and monthly production rates shall be kept available at the facility. Compliance with the emission limits may be demonstrated

by computer program, spread sheets, calculations or performance tests as may be specified by the Division.

2. Pursuant to 401 KAR 52:040, Section 19, the permittee shall certify compliance with the terms and conditions contained in this permit by January 30th of each year, by completing and returning a Compliance Certification Form (DEP 7007CC) (or an approved alternative) to the Regional Office listed on the front of this permit in accordance with the following requirements:
 - a. Identification of the term or condition;
 - b. Compliance status of each term or condition of the permit;
 - c. Whether compliance was continuous or intermittent;
 - d. The method used for determining the compliance status for the source, currently and over the reporting period, and
 - e. For an emissions unit that was still under construction or which has not commenced operation at the end of the 12-month period covered by the annual compliance certification, the permittee shall indicate that the unit is under construction and that compliance with any applicable requirements will be demonstrated within the timeframes specified in the permit.
 - f. The certification shall be postmarked by January 30th of each year. Annual compliance certifications should be mailed to the following addresses:

Division for Air Quality
Bowling Green Regional Office
1508 Western Ave
Bowling Green, KY 42104-3356

Division for Air Quality
Central Files
803 Schenkel Lane
Frankfort, KY 40601-1403

3. Permit Shield - A permit shield shall not protect the owner or operator from enforcement actions for violating an applicable requirement prior to or at the time of permit issuance. Compliance with the conditions of this permit shall be considered compliance with all:
 - a. Applicable requirements that are included and specifically identified in this permit; or
 - b. Non-applicable requirements expressly identified in this permit.

G. Construction Requirements:

1. Pursuant to 401 KAR 52:040, Section 12(3), unless construction is commenced on or before 18 months after the date of issuance of this permit, or if construction is commenced and then stopped for any consecutive period of 18 months or more, or is not completed within a reasonable timeframe then the construction and operating authority granted by this permit for those affected facilities for which construction was not completed shall immediately become invalid. Upon a written request, the Cabinet may extend these time periods if the source shows good cause.
2. Pursuant to 401 KAR 52:040, Section 12(4)(a) and 401 KAR 59:005, General provisions,

SECTION C – GENERAL CONDITIONS (CONTINUED)

Section 3(1), within 30 days following construction commencement, within 15 days following start-up and attainment of maximum production rate, or within 15 days following the issuance date of this permit, whichever is later, the owner and/or operator of the affected facilities specified on this permit shall furnish to the Regional Office listed on the front of this permit, with a copy to the Division's Frankfort Central Office, the following:

- a. Date when construction commenced, (See General Condition G.1).
- b. Start-up date of each of the affected facilities listed on this permit.

- c. Date when maximum production rate was achieved, (See General Condition G.3.b).
3.
 - a. Pursuant to 401 KAR 59:005, General provisions, Section 2(1), this permit shall allow time for the initial start-up, operation and performance testing and/or compliance demonstration of the affected facilities listed herein. However, within 60 days after achieving the maximum production rate at which the affected facilities will be operated, but not later than 180 days after initial start-up of such facilities, the owner or operator shall demonstrate compliance to a duly authorized representative of the Division.
 - b. Pursuant to 401 KAR 59:005, General provisions, Section 3(1)(b), unless notification and justification to the contrary are received by this Division, the date of achieving the maximum production rate at which the affected facilities will be operated shall be deemed to be 30 days after initial start-up.
4. Operation of the affected facilities authorized by this permit shall not commence until compliance with applicable standards specified herein has been demonstrated in accordance with the requirements of 401 KAR 52:040, Section 12(4)(b). Until compliance is demonstrated, the source may only operate for the purpose of demonstrating compliance.

SECTION D - INSIGNIFICANT ACTIVITIES

The following listed activities have been determined to be insignificant activities for this source pursuant to 401 KAR 52:040, Section 6. While these activities are designated as insignificant the permittee shall comply with the applicable regulation and any level of periodic monitoring specified below. The permittee shall maintain a log records for the fuel usage for insignificant activities.

<u>Description</u>	<u>Generally Applicable Regulation</u>
1. (3) Grilling Ovens (2.36 MMBtu/hr each)	401 KAR 59:015
2. (3) Steam Boilers	401 KAR 59:015

3. (5.175 MMBtu/hr each)
(2) Flour Silos
(1000 CFM each)

401 KAR 59:010